

**REMARKS**

The claims have been amended to ensure open-ended coverage of certain limitations. In addition, claim 8 has been amended to more specifically define applicant's contribution to the art and claims 15-17 have been added. Claims 15-17 are the same as claims 4-6, but depend on claim 2, instead of claim 1.

Applicant does not understand the objection to claims 1, 2, 8 and 12, which says "signaling channels which" should be changed to --signaling channels of a plurality of signaling channels which--. In the opinion of Applicant, the change the Examiner proposes renders claims 1, 2, 8 and 12 indefinite. The Examiner is requested to indicate why he believes claims 1, 2, 8 and 12 should be amended as set forth in the Office Action.

Applicant traverses the rejection of claims 1-14 as failing to comply with the enablement requirement of 35 U.S.C. 112, paragraph 1. The Examiner never indicates why the specification fails to disclose the requirement to select third messages including an identification related to an end user of a data item and a call identifier with system-wide significance and using the third messages to establish a correlation between the first and second barechannel identifications or a third selector for selecting third messages including an identification related to an end user of said data item and a call identifier with system-wide significance and a correlator for establishing a correlation between the first and second barechannel identifications in accordance with the selected third messages. The Examiner queries how the third messages are used to correlate the first and second bare channel identifications and says claims 1 and 12 do not explain how the correlation is performed.

In reply, applicant draws particular attention to the specification on page 6, lines 7-16 that sets out in detail how the various correlations are accomplished and enables a

person of ordinary skill in the art to provide them. The third messages, like the first and second messages, are created during operation of monitored signaling channels, as described at the beginning of page 5 of the application. Based on the foregoing, the specification does enable the claimed features.

Perhaps, the Examiner is under the misimpression that the claims need to provide an enabling disclosure of the subject matter set forth therein. However, this is not the function of a claim. "Specifications teach. Claims claim." *SRI International v. Matsushita Electric Corporation of America*, 775 F.2d 1107, 1121 n. 14 (Fed. Cir. 1985) (en banc). The Examiner is also directed to M.P.E.P. Section 2164, which indicates the enablement requirement refers to the requirement of 35 U.S.C. 112, first paragraph, that the specification describe how to make and use the invention. The purpose of the requirement that the specification describe the invention in such terms that one skilled in the art can make and use the claimed invention is to ensure that the invention is communicated to the interested public in a meaningful way. Hence, the Examiner's repeated comments in the Office Action about the claims explaining how to establish a correlation between the contents of signaling messages is not a proper rejection under the enablement requirement of 35 U.S.C. 112, paragraph 1.

In response to the rejection of claims 1, 4, 5, 6, 8-12 and 14 under 35 U.S.C. 112, paragraph 2, Applicant has canceled the requirement of claims 1 and 12 for "system-wide significance" and has amended claims 8 and 14 to indicate where the first and second call initiation messages come from. The foregoing amendments to claims 8 and 14 indicate that the first and second call initiation messages come from, and are not the same as, the monitored messages.

Since all formal matters have either been discussed or resolved and there is no rejection based on art, allowance of the application is respectfully requested and deemed in order.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

**LOWE HAUPTMAN GILMAN & BERNER, LLP**

  
Allan M. Lowe  
Registration No. 19,641

Customer Number: 22429  
1700 Diagonal Road, Suite 300  
Alexandria, Virginia 22314  
(703) 684-1111  
(703) 518-5499 Facsimile  
Date: April 12, 2004  
AML/pjc